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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/082,160	02/26/2002	Youji Takahashi	500.41283X00	3433	
20457	7590 07/25/2003				
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889			EXAM	EXAMINER	
			LE, THAO P		
			ART UNIT	PAPER NUMBER	
			2818	2818	
			DATE MAILED: 07/25/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

## DOMESTING Summary    TAKAHASHIETAL   Examiner			Application No.	Applicant(s)				
The D Le 2918  The Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE of this communication appears on the cover sheet with the correspondence address  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  If the period for reply specified above is less than thirty (30) stays, a reply with the statutory relied with period with the statutory relied with the statutory relied with period with the statutory relied with period with the statutory relied with the statutory rel	_		10/082,160	TAKAHASHI ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of ten map be available under the provisions of 3 CFR 1.136(a), is no avert, however, may a reply be timely filled  if the period for reply specified above is less than biffity (30) stays, a reply with the databoty replication of the provision of the communication of the period for reply specified above is less than biffity (30) stays, a reply with the databoty replication to become ABANCHEO (30 stays, a reply with the databoty replication to become ABANCHEO (30 stays, a reply with the databoty replication to become ABANCHEO (30 stays, a reply with the databoty replication to become ABANCHEO (30 stays, a reply with the called for reply is specified above the application to become ABANCHEO (30 stays, a reply with the called for reply is publication.  Followed for reply specified above is the communication of the communication of the communication of the communication.  This action is FiNAL.  2b(∑) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 c.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s)		Office Action Summary	Examiner	Art Unit				
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THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 3 CPR 1, 135(a). In no event, however, may a reply be limitly flied after SX (8) MCNTRS from the mailing date of this communication.  It is placed to reply is specified above, the maintenine atteution pelved within the studiory mineral may be suffered to reply the specified by the desire of the specified pelvers. It is placed to reply the specified by the desire of the specified pelvers of the specified per specified by the desire of the specified pelvers. Status  1) Responsive to communication(s) filed on 26 February 2002.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-11 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  7) Claim(s) is/are subjected to secondary and the desired pelvers of the specification is objected to by the Examiner.  9) The grawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9) The proposed drawing correction filed on is/are: a) accepted or b) disapproved by the Examiner.  10) The proposed drawing correction filed on is/are: a) approved b) disapproved by the Examiner.  11 proposed drawing correction filed on is accepted or b) approved by the Examiner.  12 The proposed drawing correction filed on is accepted or b) approved by the Examiner.  13 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  14 Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  15 Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).								
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Application/Control Number: 10/082,160

Art Unit: 2818

## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
- I. Claims 1-4, 5-6, and 9-10: draw to a power supply that is classified in class 257.
- II. Claims 7-8, 11: draw to a method of fabricating a semiconductor wafer that is classified in **class 438**.
- 2. Inventions I and II above are related as device and method. The inventions are distinct if it can be shown that either:
- a) the product (I) as claimed can be made by another and materially different process. (MPEP 806.05(e)), or
- b) the method (II) as claimed can be practiced by another materially different product or by hand.

For instance, unpatentability of the group I invention would not necessarily imply unpatentability of the group II invention, since the device of the group I invention could be made by other processes materially different from those of the group II invention.

Also, the method and device are classified under two different classes which required serious burden search.



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3. If applicant elects group I, applicant is required to elect one of the following distinct species:

<u>Species I: claims 1-4</u> that direct to a power supply for receiving a power value.

Species II: claims 5-6, 9-10 that direct to a semiconductor making apparatus comprising a chamber, a power supply, a control computer, output sensing ...

- 4. Because the inventions are distinct from the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of the inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(l).
- 6. A shortened statutory period for response to this action is set to expired 1 (one) months and 0 (zero) day from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see 710.02 (b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thao P Le whose telephone number is 703-605-1187. The examiner can normally be reached on M-F (8:30-5:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 703-308-4910. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Thao Phuong Le

July 15, 2003

HOAI HO PRIMARY EXAMINER